

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
FORT SMITH DIVISION

UNITED STATES OF AMERICA

PLAINTIFF

V.

NO. 04CR20008

ROBERT LOUIS SALTER, JR.

DEFENDANT

O R D E R

On this 2nd day of May, 2012, there comes on for consideration the report and recommendation filed in this case on March 21, 2012, by the Honorable James R. Marschewski, United States Magistrate for the Western District of Arkansas. (Doc. 98). Also before the Court are Defendant's objections (doc. 99).

The court has reviewed this case *de novo* and, being well and sufficiently advised, finds as follows: The report and recommendation is proper and should be and hereby is adopted in its entirety. Accordingly, Defendant's Motion for Leave to Appeal In Forma Pauperis (doc. 97) is DENIED. Further, as Defendant's Notice of Appeal is both frivolous and untimely (doc. 94), it is DENIED, and the Clerk's determination to not lodge the appeal (doc. 95) is AFFIRMED.

IT IS SO ORDERED.

/s/ Robert T. Dawson
Honorable Robert T. Dawson
United States District Judge